

16.06.2026
Court No.4
Item No.4
SN

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (R) 19 of 2026

In Re: - An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of
the Code of Criminal Procedure, 1973 in connection with C.R.
Case 1992 of 2025 arising out of POR-02/GHP-15 of 2025-2026
dated 20.12.2025 under sections of 44, 48, 48A, 50(c) and 51 of
The Wildlife Protection Act, 1972

And

In the matter of: **Ganesh Basfor**

....Petitioner.

Mr. Abhilash Mittal

...For the Petitioner.

Mr. Avrojoyti Das, APP
Ms. Panchali Deb Sikdar (Nag)

...For the State.

1. The learned counsel representing the petitioner submits that
the accused person is in custody since being arrested on 20th
December, 2025 and trial has not concluded till date. The learned
counsel refers to Section 480(6) of the Bharatiya Nagarik Suraksha
Sanhita, 2023 and further submits that if the trial of a person
accused of any non-bailable offence is not concluded within a
period of 60 days from the first date fixed for taking evidence in the
case, such person shall, if he is in custody during the whole of the
said period, be released on bail to the satisfaction of the Magistrate,
unless for reasons to be recorded in writing, the Magistrate
otherwise directs.

2. The learned counsel further submits that through the Memo of Arrest it will not transpire that any witness had signed on the Memo of Arrest. In support of his contention as regards to this issue, the learned counsel has cited a judgment of the Hon'ble Division Bench of this Court passed in **CRM(NDPS) No. 435 of 2023 (Chandra Bahadur Tamang @ Chandara B Tamang vs. The State of West Bengal)** and has also placed an order dated 3rd June, 2026 passed by a Co-ordinate Bench of this Court in **C.R.M(R) No. 21 of 2026 (Yakub Ekka & Anr.)**.

3. The learned Counsel representing the State submits that it is fact that within 60 days from the date of first recording of evidence this trial could not be concluded. He further submits that on 18th June, 2026, that is, day after tomorrow, it is fixed for evidence to be adduced on behalf of the co-accused Kamal Agarwal.

4. It is fact that within 60 days of the commencement of trial, as has been laid down under Section 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023, this trial could not be concluded. It is also fact that just on 18th June, 2026, that is, day after tomorrow, it is fixed for evidence on behalf of the defence, which is to be adduced by the other co-accused Kamal Agarwal. It is also fact that this accused petitioner is a citizen of Nepal and at this fag end of the trial, this Court does not intend to hamper the trial, only evidence on behalf of the defense and the argument is required to be completed.

5. In such circumstance, the petition praying for bail is rejected.

6. In such circumstance, the Learned Trial Judge is requested to conclude the trial at the earliest without granting any unnecessary adjournment to either of the parties.

7. The Case Diary is returned to the learned APP in Court today.

8. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Supratim Bhattacharya, J.)